

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 6, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-28216 - APPLICANT: WET PAINT MEDIA LLC -

OWNER: HUNTRIDGE SHOPPING CENTER LLC

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL.

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. The Off-Premise Advertising (Billboard) Sign supporting structure shall be redesigned to include finish materials that complement the existing on-site building. The entire face-area of both sides of the Off-Premise Advertising (Billboard) Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. Bird deterrent devices shall be installed on the sign.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

9. The proposed sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 14-Foot by 48-Foot Off Premise (Billboard) Sign on the south side of Charleston Boulevard, approximately 99 feet west of Maryland Parkway.

The proposal for a 14-Foot by 48-Foot Off Premise (Billboard) Sign does not meet the Goals, Objectives and Policies of the Neighborhood Revitalization section of the Las Vegas 2020 Master Plan. To propose a 37-foot high Off-Premise (Billboard) Sign in close proximity of a residential neighborhood does not improve or sustain a mature neighborhood through appropriate and high quality redevelopment and preservation. By recommending denial of this proposal, staff abides to Objective 2.4, ensuring that the quality of existing residential neighborhood is maintained and enhanced.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/21/93	The City Council approved a Variance (V-0052-93) to allow the second hand sale of clothing, furniture and household items where a secondhand dealer use is not permitted on property located at 1110 East Charleston Boulevard. Board of Zoning Adjustment recommended approval while staff recommended denial.
08/23/94	The Board of Zoning Adjustment approved a Variance (V-0111-94) to allow a Freestanding On-Premise Sign to be 80 feet from an existing Freestanding On-Premise Sign where a 100-foot minimum distance separation is required on property located at 1122 East Charleston Boulevard. Staff recommendation was denial.
10/19/94	The City Council approved a Special Use Permit (U-0205-94) for the sale of beer and wine within an existing grocery store on property located at 1100 East Charleston Boulevard. Planning Commission and staff recommended approval.
07/10/08	The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #27/jm).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that directly impact the Off-Premise Sign request.	
<i>Pre-Application Meeting</i>	
05/14/08	A pre-application was held with the applicant. The applicant was informed of the requirements they would have to meet to place an off-premise sign on this site. Submittal requirements were then discussed in detail.

Field Check	
06/18/08	A field check was made on site. The site contains an existing shopping center and convenience store on the southwest corner of Maryland and Charleston. In the vicinity of the proposed sign, there exists a damaged free-standing sign that overhangs onto the public right-of-way (sidewalk). City inspectors have been contacted to review this sign for health safety concerns.

Details of Application Request	
Site Area	
Gross Acres	1.6

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-2 (General Commercial)
North	Shopping Center, Auto Shop	C (Commercial)	C-2 (General Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
East	Vacant Historic Buildings	C (Commercial)	C-2 (General Commercial)
West	Single Family Residential	L (Low Density Residential)	C-1 (Service Commercial)
	Offices	C (Commercial)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

**The Analysis section discusses in detail.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.04, the following standards apply to an off-premise advertising sign:

- A1) Minimum Distance Separation Requirements

The Off-Premise Billboard) Sign is also subject to a minimum 300-foot separation from other Off-Premise Advertising Signs not oriented toward U.S 95. There are no existing billboards within this separation distance. The nearest Off-Premise Sign is approximately 580 feet to the east of the proposed location.

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in a residential zoning district. The nearest "R" zoned property is located approximately 334 feet to the south of the proposed location.

A2) Off-Premise Sign Requirements

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way	Located south of Charleston Boulevard	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	The property is zoned C-2.	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet per sign face, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The east and west faces are each 672 square feet.	Y
Height	40 Feet above grade	37 Feet above grade.	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 194 feet from the right-of-way line of the intersection of Charleston Boulevard and Maryland Parkway	Y

Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Not clearly indicated	Staff has included a condition of approval which addresses this issue
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; no residential uses on site.	Y

ANALYSIS

- **Redevelopment Plan Area**

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation allows uses comparable to the following land use categories: SC (Service Commercial), GC (General Commercial), and O (Office). The proposed Off-Premise (Billboard) Sign is consistent with the land use designation.

The subject site is zoned C-2 (General Commercial). Development is subject to the standards contained within Title 19.14.100 Off-Premise Signs. Off-Premise (Billboard) Signs are permitted uses within the C-2 (General Commercial) zoning district with approval of a Special Use Permit.

- **Goals and Objectives**

1. To eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Redevelopment Area in accord with the Master Plan, the Redevelopment Plan and local codes and ordinances.

- **Las Vegas 2020 Master Plan –Revitalization**

Goal 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

Objective 2.2: To ensure that low density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible.

Policy 2.2.1: That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition, or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts.

Objective 2.4: To ensure that the quality of existing residential neighborhoods within the City of Las Vegas is maintained and enhanced.

Policy 2.4.8: That the City improve the quality and appearance of signage through review, amendment and consistent application of its Sign Code.

The proposal for a 14-Foot by 48-Foot Off Premise (Billboard) Sign does not meet the Goals, Objectives and Policies of the Neighborhood Revitalization section of the Las Vegas 2020 Master Plan. Since the proposal is not in accord with the Las Vegas 2020 Master Plan, it does not meet the goals and objectives the Redevelopment Plan Area. By recommending denial of this proposal, staff follows Objective 2.4, ensuring that the quality of existing residential neighborhood is maintained and enhanced.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposal for a 14-Foot by 48-Foot Off Premise Sign does not meet the Goals, Objectives and Policies of the Neighborhood Revitalization section of the Las Vegas 2020 Master Plan. To propose a 37-foot high Off-Premise (Billboard) Sign in close proximity of a residential neighborhood does not improve or sustain a mature neighborhood through appropriate and high quality redevelopment and preservation. By recommending denial of this proposal, staff abides by Objective 2.4, ensuring that the quality of existing residential neighborhood is maintained and enhanced.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

There are no physical constraints to the location of the use on the subject site.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

There are no requirements for access to a property containing an Off-Premise (Billboard) Sign. In addition, the site plan proposes shows the location of the sign not displacing any current parking.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

If approved, the off-premise sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

5. **The use meets all of the applicable conditions per Title 19.04.**

The use meets all the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 351 by City Clerk

APPROVALS 1

PROTESTS 4